PTO/SB/05 (08-03) Approved for use through 07/31/2006. OMB 0651-0032

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## UTILITY PATENT APPLICATION **TRANSMITTAL**

MWS-104 Attorney Docket No. Patrick L. EDSON First Inventor

METHODS AND APPARATUS FOR GRAPHICAL **TEST AND MEASUREMENT** 

Title (Only for new nonprovisional applications under 37 CFR 1.53(b)) EL 941614895 US Express Mail Label No. **MS Patent Application** 2390 APPLICATION ELEMENTS Commissioner for Patents ADDRESS TO: P.O. Box 1450 See MPEP chapter 600 concerning utility patent application contents. Alexandria, VA 22313-1450 CD-ROM or CD-R in duplicate, large table or Fee Transmittal Form (e.g., PTO/SB/17) **7**. (Submit an original, and a duplicate for fee processing) Computer Program (Appendix) Applicant claims small entity status. Nucleotide and/or Amino Acid Sequence Submission 8. 2. See 37 CFR 1.27. (if applicable, all necessary) X 36 3. Specification [Total Pages Computer Readable Form (CRF) (preferred arrangement set forth below) b. Specification Sequence Listing on: - Descriptive title of the invention - Cross Reference to Related Applications CD-ROM or CD-R (2 copies); or Paper - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, Statements verifying identity of above copies C. or a computer program listing appendix **ACCOMPANYING APPLICATION PARTS** - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) 9. Assignment Papers (cover sheet & document(s)) - Detailed Description Power of - Claim(s) 37 CFR 3.73(b) Statement 10. - Abstract of the Disclosure (when there is an assignee) **Attorney** X Drawing(s) (35 U.S.C. 113) [Total Sheets 11. English Translation Document (if applicable) Information Disclosure Copies of IDS 5. Oath or Declaration [Total Sheets 12. Statement (iDS)/PTO-1449 Citations Newly executed (original or copy) 13. **Preliminary Amendment** Copy from a prior application (37 CFR 1.63(d)) Return Receipt Postcard (MPEP 503) 14. (for continuation/divisional with Box 18 completed) (Should be specifically itemized) Certified Copy of Priority Document(s) **15**. DELETION OF INVENTOR(S) (if foreign priority is claimed) Signed statement attached deleting inventor(s) Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). named in the prior application, 16. Applicant must attach form PTO/SB/35 or its equivalent. see 37 CFR 1.63(d)(2) and 1.33(b). Other: **17**. Application Data Sheet. See 37 CFR 1.76 18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76: Continuation Divisional Continuation-in-part (CIP) of prior application No.: Prior application information: Examiner Art Unit: For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The Incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts. 19. CORRESPONDENCE ADDRESS 00959 Customer Number: OR Correspondence address below LAHIVE & COCKFIELD, LLP Name Kevin J. Canning 28 State Street Address MA City Boston State Zip Code 02109 US (617) 227-7400 (617) 742-4214 Fax Country Telephone David J. Rikkers 43,882 Name (Print/Type) Registration No. (Attorney/Agent)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL 941614895 US, in an envelope addressed to: MS Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 24, 2004

Signature

Signature:

(David J. Rikkers)

Date

March 24, 2004

PTO/SB/17 (10-03)

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FEE TRANSMITTAL			Complete if Known					
LEE IVANOIMII I AL		Application Number Not Yet Assigned						
for FY 2004	Filing Date			Concurrently Herewith				
		First Named Inventor			tor Patrick L. EDSON			
Effective 10/01/2003, Patent fees are subject to annual revision.		Examiner Name			Not Yet Assigned			
Applicant claims small entity status. See 37 CFR 1.27		Art Unit			N/A			
TOTAL AMOUNT OF PAYMENT (\$) 1,224.00		Attorney Docket No. MWS-104			o. MWS-104			
METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)							
Crodit Money	2 4	DDITI	SALAL					
Check Card Order Other 3. ADDITIONAL FEES								
χ Deposit Account:		- F-414.	0	F 414 .				
Deposit Account 12-0080	Fee	Entity Fee	Fee	Entity Fee	- Foo Doggintian			
Number	Code	(\$)	Code	(\$)	Fee Description Fee Paid			
Deposit Account Lahive & Cockfield, LLP	1051	130	2051	65	Surcharge – late filing fee or oath			
Name	1052	50	2052	25	Surcharge – late provisional filing fee or cover			
The Director is authorized to: (check all that apply)    Y   Charge (acts) indicated below   Y   Credit any even sympats	1050	420	4050	120	sheet.			
X Charge fee(s) indicated below X Credit any overpayments	1053	130	1053		Non-English specification			
X Charge any additional fee(s) or any underpayment of fee(s)	1812	2,520	1812		For filing a request for ex parte reexamination  Requesting publication of SIR prior to			
Charge fee(s) indicated below, except for the filing fee	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action			
to the above-identified deposit account.	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action			
FEE CALCULATION	1251	110	2251	55	Extension for reply within first month			
1. BASIC FILING FEE	1252	420	2252		Extension for reply within second month			
Large Entity Small Entity  Fee Fee Fee Fee Description Fee Paid	1253		2253	475	Extension for reply within third month			
Code (\$) Code (\$)	1254	1,480	2254	740	Extension for reply within fourth month			
1001 770 2001 385 Utility filing fee 770.00	1255	•	2255	Ī	Extension for reply within fifth month			
1002 340 2002 170 Design filing fee  1003 530 2003 265 Plant filing fee	1401 1402	330 330	2401 2402		Notice of Appeal			
1003 530 2003 265 Plant filing fee 1004 770 2004 385 Reissue filing fee	1402		2402		Filing a brief in support of an appeal  Request for oral hearing			
1005 160 2005 80 Provisional filing fee	1451	1,510	1451		Petition to institute a public use proceeding			
' h	1452	110	2452	55	Petition to revive – unavoidable			
SUBTOTAL (1) (\$) 770.00	1453	1,330	2453	665	Petition to revive - unintentional			
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE Extra Fee from	1501	1,330	2501		Utility issue fee (or reissue)			
Claims below Fee Paid	1502		2502		Design issue fee			
Total Claims 43 -20** = 23 x 18.00 = 414.00	1503		2503		Plant issue fee			
Claims	1460		1460	130	Petitions to the Commissioner			
Multiple Dependent =	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)			
Large Entity   Small Entity   Fee   Fee	1806		1806		Submission of Information Disclosure Stmt  Recording each patent assignment per			
Code (\$) Fee Fee Fee Fee Code (\$)	8021	40	8021	40	property (times number of properties) 40.00			
1202 18 2202 9 Claims in excess of 20	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))			
1201 86 2201 43 Independent claims in excess of 3  1203 290 2203 145 Multiple dependent claim, if not paid	1810	770	2810	385	For each additional invention to be			
1203 290 2203 145 Multiple dependent claim, if not paid 1204 86 2204 43 ** Reissue independent claims	1801	770	2801	385	examined (37CFR 1.129(b))  Request for Continued Examination (RCE)			
over original patent	1802		1802	900	Request for expedited examination			
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent		fee (spe		<b>_</b>	of a design application			
SUBTOTAL (2) (\$) 414.00		uced by (		ling Foo	Paid SUBTOTAL (3) (\$) 40.00			
**or number previously paid, if greater, For Reissues, see above	acea by I	JUSIU FI	ıy ree	Paid SUBTOTAL (3) (\$) 40.00				
SUBMITTED BY	· <u>-</u> ·	W	<del></del>	(Complete (if applicable))				
Name (Print/Type) David J. Rikkers		tration No		,882	Telephone (617) 227-7400			
	LAttorn	ey/Agent)	1	,				
Signature	1, 1		la		Date March 24, 2004			

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in an envelope addressed to: MS Patent	application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the
date shown below.	Signature: David I Bikkom)
Dated: March 24, 2004	Signature: (David J. Rikkers)

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NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)

First I	lamed Inventor Patrick L. EDSON		
Title METHODS AND APPARATUS FOR GRAPHICAL TEST AND MEASUREMENT			
Attorr	ney Docket No.	MWS-104	

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

March 24, 2004
Date
Signature

(617) 227-7400
Telephone Number
David J. Rikkers - 43,882
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).

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Dated: March 24, 2004

Signature:

(David J. Rikkers)